



United States Department of the Interior

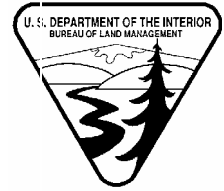
BUREAU OF LAND MANAGEMENT

Palm Springs-South Coast Field Office

690 West Garnet Avenue

P.O. Box 58-1260

North Palm Springs, CA 92258-1260



*Visit us on the Internet at
www.ca.blm.gov/palmsprings*

IIN REPLY REFER TO:
2800

Invitation For Bids and Bidding Instructions

The Bureau of Land Management (BLM) invites written bids for a preference right to apply for authorization to construct, operate and maintain a wind energy generating facility on approximately 285 acres of public land in the Coachella Valley.

1. LOCATION OF PUBLIC LANDS: The public lands which would be available for application by the selected bidder consist of approximately 285 acres within a portion of section 28, Township 3 South, Range 4 East, San Bernardino Meridian, Riverside County, California. The approximate configuration of the public lands is shown on the attached map.

2. DESCRIPTION OF THE RIGHT TO BE AWARDED: The selected bidder would become the applicant for a Right of Way (R/W) for a Wind Energy Site Testing and Monitoring Facilities that Encompass a Site Testing and Monitoring Project Area **and/or** a R/W for Commercial Wind Energy Development. The selected bidder shall have the option of applying for either form of R/W authorization, (Site Testing and Monitoring Facilities Encompassing a Project Area or Commercial Wind Energy Development Facilities) consistent with the BLM's Interim Wind Energy Development Policy.

After appropriate environmental review, the BLM would make a decision to approve or deny the applicant's proposal. The United States makes no warranty that the lands are suitable for wind energy development and provides no assurances that a R/W will be issued to the selected bidder.

3. THE COMPETITIVE BID PROCESS: Interested parties may submit written bids with a bid deposit of \$5,000, over a 45 day period beginning Tuesday June 1, 2004 and running through 3:00 P.M., Pacific Daylight Time (PDT), Thursday July 15, 2004. Qualified bidders will be assigned a bid number and may, at any time during the bid period, increase their bid in increments of \$500.00, or more, in writing or by facsimile with no additional bid deposit required. The current high bid, with the bidder's identification number will be available at the BLM's Palm Springs - South Coast Field Office, though a link on the webpage www.ca.blm.gov/palmsprings/, and on a recorded message at (760) 251-4850. The latest bid information will generally only be updated once a day during regular business if a new

high bid has been received.

In the event BLM's webpage is not accessible, bidding will continue with no delay, and bidders are advised to stay informed of the status of bidding by calling (760) 251-4850.

Bidding will close on July 15, 2004 at 3:00 P.M. unless BLM has received a new high bid prior to 3:00 P.M. on July 15, 2004. If BLM receives a new high bid prior to 3:00 P.M. on July 15, 2004, bidding will continue until 3:00 P.M. the next business day and will close that day if BLM does not receive a new high bid on that day. Bidding will continue in this manner until no new high bid is received by BLM by 3:00 P.M. on the business day bidding is scheduled to close.

In the event separate bids are submitted for the same amount, for purposes of posting the latest high bid BLM will give preference to the highest bid that in its judgment was received first.

With the exceptions of bidders who BLM determines are not qualified, all bid deposits will be held by BLM until bidding ends and BLM selects the winning bidder. After the close of bidding, with the exception of the deposit made by the selected bidder, all other bid deposits will be refunded, without interest, to the address on the bid form.

4. BID FORM: All bids must be submitted on the attached official Bid Form titled:

REGISTRATION AND BID FORM
FOR A PREFERENCE RIGHT
TO APPLY FOR A WIND ENERGY RIGHT OF WAY
IN A PORTION OF SECTION 28, T.3S., R.4E., SBM

The Bid Form must be signed and dated, and include all information and certifications requested on the Bid Form. Bids submitted in any other manner may be rejected. The BLM may at its discretion waive any minor informality or irregularity in bids received. Official Bid Forms may be photocopied.

5. REQUIREMENTS OF THE INITIAL WRITTEN BID: To participate in the competitive bidding, interested parties must submit written bids. Initial written bids must be for a minimum of \$5,000 and be submitted in writing on the attached bid form to the Palm Springs - South Coast Field Office at 690 Garnet Ave, P.O. Box 581260, North Palm Springs, CA 92558-1260. Your initial bid must be accompanied by:

- a.) A bid deposit in the form of a cashier's check in the amount \$5,000 payable to the Department of the Interior, Bureau of Land Management.
- b.) A statement and supporting documents showing the bidder's financial and technical capability to construct, operate, and maintain the proposed array of wind turbines. Interested bidders must submit a financial statement indicating an ability to secure sufficient capitalization and funding to complete the project, and the capacity to secure bonding. Interested bidders must show a demonstrated track record in developing wind power over the last five years by the company or its affiliated parent

company, or otherwise demonstrate how the bidder will obtain the expertise necessary to develop wind power. This could be an attached list of projects during this period with references, locations, and construction costs.

6. NOTIFICATION OF QUALIFIED BIDDERS: Parties submitting written bids will be notified by BLM, by letter or facsimile as to their status as a qualified bidder. Qualified bidders will be assigned a bidder number by BLM. BLM will not disclose the identity of qualified bidders during the bid period.

7. INCREASING YOUR BID: Qualified bidders who have been assigned a bidder number by BLM may submit increased bids in writing or by facsimile to the Palm Springs - South Coast Field Office at (760) 251-4899 until such time as bidding closes. Increases in bids must be submitted on the approved bid form, must be in increments of \$500 or more, and must be greater than the latest high bid accepted by the BLM. No additional bid deposit is required.

8. SELECTION CRITERIA: The BLM's authorized officer shall award the preference right to the selected bidder based on the bid offer and the financial and technical capability of the bidder to undertake the project. BLM expects the selected bidder will be the bidder who submitted the highest bid, but may at its discretion consider the financial and technical capability of competing bidders. If bidding closes and BLM has received competing high bids from separate bidders for the same amount, BLM may, at its discretion, also give preference to the highest bid that in its judgment was received first.

9. OBLIGATIONS OF THE SELECTED BIDDER: The selected bidder's bid deposit will not be returned. The selected bidder will be required to pay the balance of the difference between their high bid and their initial bid deposit of \$5,000.00 within 15 days of notification of selection by BLM. These funds will be deposited with the U.S. Treasury and will not be returned, regardless of whether or not BLM approves a R/W.

Within 60 days of notification by BLM, the selected bidder must submit an application for a R/W to BLM. If the application is for Wind Energy Site Testing and Monitoring Facilities that Encompass a Site Testing and Monitoring Project Area, the application will include a description and proposed location of the site testing facilities. If the application is for the installation of commercial wind energy development facilities, the application shall include a plan of development showing the proposed layout of the facilities.

The selected bidder will be required to enter into an agreement to reimburse BLM for the cost incurred in processing their application, which will include a cost of \$350 that BLM has already incurred in publishing a Notice in the Federal Register. If the selected bidder's application is approved and a R/W is issued, the selected bidder will be required to pay fair market rent for the use of the public lands. Rental will be determined consistent with BLM's Wind Energy Development Policy.

The terms of any R/W grant will be determined through the environmental review process and are expected to include requirements for cost reimbursement, bonding, and habitat compensation. BLM provides no assurances that after considering an application it will issue a favorable decision and grant a R/W on public land.

10. TERMS AND CONDITIONS COMMON TO OTHER WIND ENERGY R/W GRANTS:

Bidders are advised that terms and conditions of BLM wind energy R/W grants normally include, but are not limited to, requirements for rental, bonding, cost reimbursement, and payments to compensate for the loss of habitat.

11. KNOWN DEVELOPMENT CONSTRAINTS: Pursuant to an existing Settlement Agreement with the City of Palm Springs, development of the public lands is subject to the following constraints: no turbines can be located within a 2/3 mile scenic setback from Highway 111 and all turbines must conform to any noise ordinance enacted by the City of Palm Springs pertaining to wind turbines.

Turbine setbacks from adjacent property are normally as follows: No wind energy turbine shall be located where the center of the tower is within a distance of five rotor diameters from a lot line that is perpendicular to and downwind of, or within 45 degrees of perpendicular to and downwind of, the dominant wind direction. Setbacks from all other lot lines shall be 1.1 times the total turbine height. Setbacks must also be consistent with BLM's Interim Wind Energy Development Policy. The BLM may establish different setbacks.

There are three existing R/W authorizations on the public land. R/W CACA 37869 is for 20 small wind turbines located on approximately 20 acres in the northwest quarter of section 28. R/W CACA-16407 is for a powerline authorized to Southern California Edison which is now unused, but previously served to transmit the power from site to the electrical grid. R/W CALA-52742 is for water spreading facilities operated the Coachella Valley Water District in the northwest quarter of section 28.

Development of wind energy facilities on public lands in the Coachella Valley are subject to the Terms and Conditions of an existing Biological Opinion issued by the U.S. Fish & Wildlife Service, dated September 3, 1999. BLM provides no assurances that additional consultation will not be necessary.

BLM provides no assurances that legal access is available to the public land. By disclosing the above constraints, BLM provides no assurances that additional constraints are not present. Prior to bidding, interested parties are advised to conduct due diligence regarding development of the lands. Additional constraints on development are likely to be imposed during review of any R/W application.

12. PHYSICAL CONDITION OF THE LAND: The public lands were previously developed for wind energy purposes and some abandoned improvements remain. These include, but are not limited to, 6 small buildings, a small section of power poles and buried foundations from previously installed wind turbines. Although these items may not interfere with redevelopment, the buildings and poles must either be used in redevelopment or removed.

13. DEFAULT OF THE SELECTED BIDDER: If the authorized officer finds the selected bidder has failed to fulfill any of their obligations, and after being notified, the selected bidder fails to correct any deficiencies within a reasonable time period, the authorized officer may award the preference right to another qualified participating bidder.

14. POINT OF CONTACT: The point of contact for this project is Claude Kirby (760) 251-4850.

Attachments:

Bid form – PDF File

Map

Area Map - PDF File

Sector 28 Map – PDF File